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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,708	02/20/2002	Minoru Hashimoto	SCEIYO 3.0-122	7649

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EXAMINER

MIRZA, ADNAN M

ART UNIT PAPER NUMBER

2145

DATE MAILED: 05/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/079,708

Applicant(s)

HASHIMOTO ET AL.

Examiner

Adnan M. Mirza

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-12 rejected under 35 U.S.C. 102(b) as being unpatentable by Ito et al (U.S. 5,671,354).

As per claims 1,6 Ito disclosed A communication system, comprising: a plurality of client terminal devices connected to a predetermined network, each client terminal device being assigned a unique identification number (col. 4, lines 21-28); and a communication server machine connected to the network and operable to manager, based on the identification numbers, user information related to each client terminal device which indicates at least conditions under which each client terminal device is connected to the network (col. 2, lines 27-41) and when requested by a user to make a communication with another user, to select a communication application that is suitable for both the user and the another user based on the user information, and to make a connection for communication between the client terminal device of the user and the client terminal device of the another user (col. 2, lines 55-66).

2. As per claims 2,9 Ito disclosed A communication method, comprising: managing user information which indicates at least conditions under which client terminal devices are connected to a predetermined network based on unique identification numbers respectively assigned to the client terminal devices (col. 2, lines 55-66); selecting a communication application that is

Art Unit: 2145

suitable for both a user and another user with which the user desires to communicate based on the user information; and making a connection for communication between the client terminal device of the user and the client terminal device of the another user (col. 8, lines 6-16).

3. As per claims 3,10 Ito disclosed A user terminal device, comprising: a list storage unit operable to store a list containing at least identification numbers respectively assigned to terminal devices for communication, addresses of the terminal devices (col. 5, lines 24-35), and conditions for connecting the terminal devices to a network; an application storage unit operable to store a plurality of communication applications corresponding to different conditions for connecting the terminal devices to the network; and a connection controller operable (col. 2, lines 55-66), when a user of the terminal device selects a communication party from the list, to read out from the application storage unit a communication application that meets the conditions for connecting both the user terminal device and the terminal device of the communication party to the network, and to make a connection for communication between the user terminal device and the terminal device of the communication party (col. 6, lines 10-26).

4. As per claims 4,7,11 Ito disclosed wherein the list is stored in the list storage unit after being downloaded from a communication server machine connected with the user terminal device through the network (col. 7, lines 19-27).

Art Unit: 2145

5. As per claims 5,8,12 wherein at least one of the list storage unit and the application storage unit is selected from the group consisting of a hard disk drive and a memory card (col. 4, lines 21-28).

*Conclusion*

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (571)-272-3885.

7. The examiner can normally be reached on Monday to Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin Wallace can be reached on (571)-272-6159. The fax for this group is (703)-746-7239.

8. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-746-7239 (For Status Inquiries, Informal or Draft Communications, please label "PROPOSED" or "DRAFT");

(703)-746-7239 (For Official Communications Intended for entry, please mark "EXPEDITED PROCEDURE"),

(703)-746-7238 (For After Final Communications).

Art Unit: 2145

9. Any Inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Any response to a final action should be mailed to:

BOX AF

Commissioner of Patents and Trademarks Washington, D.C.20231

Or faxed to:

Hand-delivered responses should be brought to 4<sup>th</sup> Floor Receptionist, Crystal Park II,  
2021 Crystal Drive, Arlington, VA 22202.

*AM*

Adnan Mirza

Examiner

*V. Martin Wallace*  
VALENCIA MARTIN-WALLACE  
SUPERVISORY PATENT EXAMINER